

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,290,652

Mark: LOVELACE CLINICAL TRIALS

Date of Issue: November 2, 1999



05-02-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Lovelace Scientific Resources, Inc. )

Petitioner )

v. )

Cancellation No. 92029769 )

Lovelace Healthcare Innovations, Inc. )

Registrant )

BOX TTAB NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8

THE UNDERSIGNED CERTIFIES THAT THIS DOCUMENT IS  
BEING PLACED IN AN ENVELOPE ADDRESSED TO BOX  
TTAB NO FEE, COMMISSIONER FOR TRADEMARKS, 2900  
CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3514, AND  
DEPOSITED AS FIRST CLASS MAIL, POSTAGE PREPAID,  
THIS 30<sup>th</sup> DAY OF APRIL, 2003.

03 JUN -3 AM 9:31

TRADEMARK TRIAL AND  
APPEAL BOARD

**MOTION TO SUBSTITUTE PARTY AND RECAPTION PROCEEDINGS  
AND CONSENTED MOTION FOR SUSPENSION**

**MOTION TO SUBSTITUTE PARTY AND RECAPTION PROCEEDINGS**

It is respectfully requested that Lovelace Healthcare Systems, Inc. be substituted  
for Lovelace Healthcare Innovations, Inc. as the Registrant in this proceeding and that the  
caption in this proceeding be amended accordingly to accurately reflect that Lovelace

Healthcare Systems, Inc. is now the exclusive assignee of the trademark registration at issue in this proceeding.

As grounds for this motion, Lovelace Healthcare Systems, Inc. states that:

Lovelace Healthcare Innovations, Inc. assigned the entire interest and goodwill in the above referenced mark to CIGNA Corporation as recorded with the PTO on January 24, 2000 at reel/frame 2025/0710.

CIGNA Corporation assigned the entire interest and goodwill in the above referenced mark to CIGNA Intellectual Property, Inc. as recorded with the PTO on April 18, 2002 at reel/frame 2495/0207.

CIGNA Intellectual Property, Inc. assigned the entire interest and goodwill in the above referenced mark to Lovelace Healthcare Systems, Inc. as recorded with the PTO on March 12, 2003 at reel/frame 2617/0170.

A motion to substitute a party, based on a transfer of title, is routinely granted under the provisions of Fed. R. Civ. P. 15.

#### CONSENTED MOTION FOR SUSPENSION

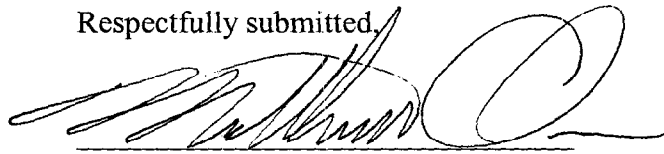
Registrant, by counsel, hereby moves for an additional suspension of the cancellation proceedings for a period of six months from April 31, 2003 to September 30, 2003, subject to all parties.

Counsel for Petitioner, Charles Armgardt, consented to this suspension in a telephone conversation on April 25, 2003. This motion is not made for purposes of delaying this action. This motion is necessary for the purposes of furthering settlement negotiations.

The parties state that an additional suspension of this proceeding is required because the mark at issue has recently been acquired by a new assignee. New counsel is now involved and actively working to resolve the matter. Counsel for Registrant has been to Albuquerque and met with Counsel for Petitioner. The parties believe additional

time is necessary to develop a thorough understanding of the parties' positions and to facilitate reaching a settlement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew G. Owen', written over a horizontal line.

Matthew G. Owen

Amy B. Berge

GREENEBAUM DOLL & MCDONALD PLLC

3300 National City Tower

101 South Fifth Street

Louisville, Kentucky 40202

(502) 589-4200

Counsel for Registrant,

Lovelace Healthcare Systems, Inc.

Dated:

4/30/03

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing MOTION TO SUBSTITUTE PARTY AND RECAPTION PROCEEDINGS AND CONSENTED MOTION FOR SUSPENSION was served by first class mail, postage prepaid, to Charles A. Armgardt, Esq., Modrall, Sperling, Roehl, Harris & Sisk, P.A., Bank of America Center, 500 Fourth Street NW, Suite 1000, Albuquerque, NM 87102, Counsel for Petitioner, on this 30<sup>th</sup> day of April, 2003.

A handwritten signature in black ink, appearing to read 'Matthew G. Owen', written over a horizontal line.

Matthew G. Owen  
Counsel for Registrant  
Lovelace Healthcare Systems, Inc.